
Public Notice

Applicant:
Miller Boat Line, Inc.

Date:
Published:
Expires:

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-CO-R RE: 88-479-88(2) Section: OH 10 and 404

**Application for Permit under Authority of
Section 10 of the Rivers and Harbors Act of 1899 and
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Miller Boat Line, Inc., P.O. Box 239, Put-in-Bay, Ohio, 43456, has applied for a Department of the Army permit to construct improvements to the Miller Boat Line Kiln Dock in Lake Erie. The proposed project is located at 2110 Langram Road on South Bass Island, Put-in-Bay, Ottawa County, Ohio.

The proposal consists of the following:

- a. Construction of a new sheet pile main pier extension 245 feet in length and 15 feet wide. Approximately 2,800 cubic yards of core stone material will be placed below Ordinary High Water (OHW) elevation 573.4 feet International Great Lakes Datum (IGLD) 1985. The proposed structure would include the placement of 170 cubic yards of stone below the OHW 573.4 feet IGLD 1985 for construction of a fish habitat shelf.
- b. Construction of a west boat ramp extension 20 feet in length and 36 feet wide, and an east ramp extension 20 feet in length and 39 feet wide. Approximately 645 cubic yards of gravel material will be placed below OHW 573.4 feet IGLD 1985. A poured concrete slab will be constructed upon these gravel beds to form the new ramp surfaces.
- c. Construction of an armor stone breakwater 450 feet in length east of the existing pier. Approximately 7,400 cubic yards of core stone and 5,500 cubic yards of armor stone will be placed below OHW 573.4 feet IGLD 1985.
- d. Construction of a 130 linear foot armor stone revetment along the shoreline east of the existing pier. Approximately 435 cubic yards of armor stone and 285 cubic yards of ODOT 601 "B" stone will be placed below OHW 573.4 feet IGLD 1985.
- e. Dredge 700 cubic yards of gravel to a bottom elevation of 560 feet IGLD 1985, and remove 90 linear feet of steel sheet pile groin and cell. The dredged material will be placed in Lake Erie east of the proposed breakwater.

Approximately 40,000 square feet of lake bottom will be filled for the sheet pile pier extension, breakwater and revetment.

The applicant's stated purpose is to provide a protected dockage area for three future ferry boats. The proposed extensions to the east and west boat ramps will allow for operation during low water levels. The dredging is needed to allow loading at the east dock and the revetment is necessary to protect the existing shoreline.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Paul F. Wetzel, who can be contacted by calling (419) 353-6307, or by e-mail at: Paul.F.Wetzel@usace.army.mil

The applicant has certified that the proposed activity complies with Ohio's approved Coastal Zone Management Program and will be conducted in a manner consistent with that program. Any comments on the consistency of the proposed activity with Ohio's Coastal Zone Management Program should be forwarded to:

Mr. Don Povolny or Ms. Kim Baker
Ohio Department of Natural Resources
Division of Real Estate and Land Management
Resource Management Section
1952 Belcher Drive, Building C-4
Columbus, Ohio 43224-1386
Telephone (614) 265-6411
FAX (614) 267-4764
e-mail: kim.baker@dnr.state.oh.us

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1616 East Wooster Street, Unit R-1-E, Box O, Bowling Green, Ohio 43402-3456, and should be marked to the attention of Paul F. Wetzel, or by e-mail at: Paul.F.Wetzel@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross

examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.